

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PATTY BEALL, MATTHEW
MAXWELL, TALINA MCELHANY AND
KELLY HAMPTON, individually
and on behalf of all other similarly situated;**

Plaintiffs,

**TYLER TECHNOLOGIES, INC. AND
EDP ENTERPRISES, INC.
Defendants.**

§ §

2:08-cv-422 TJW

DECLARATION OF PAULO B. McKEEBY

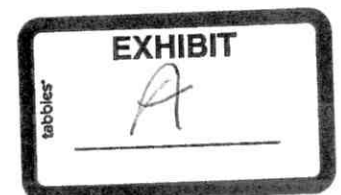
I, Paulo B. McKeeby, declare as follows:

1. My name is Paulo B. McKeeby. I am of sound mind, over the age of 21, have never been convicted of a felony, and am fully authorized and competent to make this Declaration. The facts and statements contained in this Declaration are made on the basis of my personal knowledge, and are true and correct. If called to testify to said statements, I could and would testify competently thereto.

2. I am a Partner in the law firm of Morgan, Lewis & Bockius LLP, attorneys for Defendants in the above captioned lawsuit.

3. Attached as Exhibit 1 to this Declaration is a true and correct copy of an email message that I sent to Laureen Bagley, counsel for Plaintiffs in the above captioned lawsuit on July 13, 2009. Pursuant to the Court's order in this case, I attached the list of contact information for current and former employees in the different job categories identified. In the

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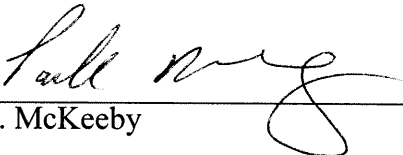


email, I informed Ms. Bagley that the Company does not maintain employee personal email addresses.

4. Ms. Bagley did not raise an objection or suggest that Plaintiffs construed the Order to require work email addresses at that time. Ms. Bagley first raised the issue and requested work email addresses on August 18, 2009. At that time, Ms. Bagley suggested that work email addresses were necessary because a small number of notices were returned as undeliverable because those putative class members apparently no longer lived at the last known address provided. Because I assumed that the undeliverable notices were sent to former employees with outdated contact information (making work email addresses unnecessary), I asked Ms. Bagley for the names of the putative class members whose notices were returned undeliverable. Ms. Bagley did not provide the requested names.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 3rd day of September, 2009 in Dallas, Texas.



Paulo B. McKeeby

McKeeby, Paulo B.

From: McKeeby, Paulo B.
Sent: Monday, July 13, 2009 4:45 PM
To: Laureen Bagley
Cc: Perlioni, Ellen L.; Deron Dacus
Subject: FW: Employee list
Attachments: Employee List 7.08.09.xlsx

Laureen: Attached per the Court's order is the list and contact information of employees and former employees in the different categories identified. Note that the Company does not maintain employee personal email addresses. Finally, note that we are producing this in anticipation of and with the understanding that there will be an agreement as to a protective order that will apply to the personnel and contact information of the individuals listed herein.

Paulo B. McKeeby

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